

October 18, 2019

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Notice of Ex Parte, *BellSouth's Petition for Declaratory Ruling Regarding the Commission's Definition of Interconnected VoIP in 47 C.F.R. § 9.3 and the Prohibition on State Imposition of 911 Charges of VoIP Customers in 47 U.S.C. § 615(a-1(f)(1) et al.*, WC Docket No. 19-44**

Dear Ms. Dortch,

On October 17, 2019, I spoke on the phone with Nirali Patel, Wireline Advisor to Chairman Pai; Joseph Calascione, Legal Advisor to Commissioner Carr; and Travis Litman, Chief of Staff and Senior Legal Advisor, Wireline and Public Safety, to Commissioner Rosenworcel, about the Commission's DRAFT Declaratory Ruling in this docket, scheduled for vote at the Commission's October 25 Open Meeting.<sup>1</sup> On October 18, 2019, I had phone conversations on the same topic with Joel Miller, Chief of Staff and Media Legal Advisor for Commissioner O'Rielly and Bill Davenport, Chief of Staff & Senior Legal Advisor for Wireless and International on the same topic.

USTelecom endorsed the Draft Declaratory Ruling in its entirety as a practical solution for ending unjustified litigation<sup>2</sup> that threatens to undermine the IP transition by making it more expensive to switch to an IP service that is the functional equivalent of the TDM service.<sup>3</sup> All comments were consistent with USTelecom's previous comments in this docket. Please contact me with any questions.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Mike Saperstein  
Vice President, Policy & Advocacy

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<sup>1</sup> *BellSouth's Petition for Declaratory Ruling Regarding the Commission's Definition of Interconnected VoIP in 47 C.F.R. § 9.3 and the Prohibition on State Imposition of 911 Charges of VoIP Customers in 47 U.S.C. § 615(a-1(f)(1) et al.*, WC Docket No. 19-44, Declaratory Ruling, FCCCIRC 1910-02 (Draft Declaratory Ruling).

<sup>2</sup> See USTelecom Comments, WC Docket No. 19-44 (filed Mar. 27, 2019) at 2-3 (“[When] the same individual, Roger Schneider, owns companies participating either as a *qui tam* relator or contingency-fee consultant in all of the litigations with a potential payout of ‘as much as 40 percent of the additional 911 charges that would be due from customers if his theories were accepted,’ the Commission must seriously question the motivations underlying the dispute.”).

<sup>3</sup> *Id.* at 3-8

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cc: Nirali Patel  
Joseph Calascione  
Bill Davenport  
Travis Litman  
Joel Miller